



06-11-07

1 for

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------|------------------------|
| Application Number | 10/805,650-Conf. #9645 |
| Filing Date | March 19, 2004 |
| First Named Inventor | Michael Borns |
| Art Unit | 1637 |
| Examiner Name | M. Staples |
| Attorney Docket Number | 2382(225436) |

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Statement of Substance |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | Return Receipt Postcard |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Landscape Table on CD | Certificate of Express Mailing |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | | Postcard |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-----------------------------------|----------|--------|
| Firm Name | EDWARDS ANGELL PALMER & DODGE LLP | | |
| Signature | <i>Amy DeCloux 54849 for</i> | | |
| Printed name | Kathleen Williams | | |
| Date | June 8, 2007 | Reg. No. | 34,380 |



Application No. (if known): 10/805,650

Attorney Docket No.: 2382(225436)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV971744531US in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on June 8, 2007
Date


Signature

Alyson J. Lucas

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)

Three Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Amendment/Reply (19 pages)

Statement of Substance (2 pages)

Charge \$510.00 to deposit account 04-1105

Postcard



Atty. Docket No.: 225436/2382 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------|--|-----------------|----------------|
| Application of: | Borns | Examiner: | Staples, Mark. |
| Serial No.: | 10/805,650 | | |
| Filed: | March 19, 2004 | Group Art Unit: | 1637 |
| Entitled: | DNA POLYMERASE FUSIONS AND USES THEREOF | | |
| | | Conf. No.: | 9645 |

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10 Express Mail Label No. EV971744531US on this date June 8, 2007 postage prepaid in an envelope addressed to Mail Stop: Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Alyson J. Lucas

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

STATEMENT OF SUBSTANCE

Sir:

Applicants have received the Interview Summary mailed December 8, 2006, in the above-identified application. In compliance with 37 C.F.R. §1.133 and MPEP §713.04, Applicants hereby submit a Statement of Substance of Examiner Interview as required.

Telephone conversations were held during the time period from November 6, 2006 through November 15, 2006, between Examiner Mark Staples and Applicant's representative Dr. Elizabeth N. Spar, in which the restriction requirement for the instant application was discussed.

Applicant's representative, Dr. Elizabeth N. Spar, elected Pfu DNA polymerase wild type fused with Sso7d protein as Applicant's election for the subgroup restriction requirement, with traverse on the grounds that the subgroup designation should have the designation of a species. Applicants did not reach an agreement regarding this aspect of the restriction requirement.

Applicant's representative, Dr. Elizabeth N. Spar, further provided the information that SEQ ID NO:7 is an amino acid sequence for a Pfu Sso7d fusion protein, which is encoded by the nucleotide sequence of SEQ ID NO:126.

Attorney Docket No.: 225436/2382

Serial No.: 10/805,650

Page 2

Applicants reserve the right to prosecute the subject of non elected claims at a later point in time. .

Date: June 8, 2007

Respectfully submitted,

Amy DeClorne 5,4849 for

Name: Kathleen M. Williams

Registration No.: 34,380

Customer No.: 27495

Edwards Angell Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100